

**UNITED STATES DISTRICT COURT
DISTRICT COURT OF MASSACHUSETTS**

C. A. No.: 1:14-CV-12664-IT

CITY OF LOWELL,]
Plaintiff,]
]
V.]
]
GREATER LOWELL TECHNICAL HIGH]
SCHOOL, TOWN OF DRACUT, TOWN]
OF TYNGSBOROUGH, and TOWN OF]
DUNSTABLE,]
Defendants.]

**ANSWER
OF DEFENDANT TOWN OF TYNGSBOROUGH**

NATURE OF THE CASE

1. No answer required but denied as to the third sentence
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JURISDICTION AND VENUE

2. No answer required.
3. No answer required.
4. No answer required.

PARTIES

5. Admitted.
6. Admitted.
7. Admitted.

- 8. Admitted.
- 9. Admitted, but also serves students from outside the District.

FACTS

- 10. Admitted.
- 11. Admitted.
- 12. Admitted
- 13. Admitted.
- 14. Admitted.
- 15. Admitted.
- 16. No answer required. The Agreement speaks for itself.
- 17. Admitted.
- 18. Neither admitted nor denied.
- 19. Neither admitted nor denied.
- 20. Admitted.
- 21. Admitted.
- 22. Neither admitted nor denied.
- 23. No answer required.
- 24. No answer required.
- 25. No answer required.
- 26. No answer required.
- 27. No answer required.
- 28. Neither admitted nor denied.

- 29. Neither admitted nor denied.
- 31. Neither admitted nor denied.
- 32. Neither admitted nor denied.
- 33. Neither admitted nor denied.
- 34. Neither admitted nor denied.
- 35. Neither admitted nor denied.
- 36. Neither admitted nor denied.
- 37. Neither admitted nor denied.
- 38. Neither admitted nor denied.
- 39. Admitted.
- 40. Admitted.
- 41. Admitted.
- 42. No answer required.
- 43. No answer required.
- 44. Neither admitted nor denied.
- 45. Admitted, but subsequently voted to adopt the appointing of committee members.
- 46. Neither admitted nor denied.
- 47. Neither admitted nor denied.
- 48. Denied.
- 49. Admitted.

COUNT ONE

- 50. Tyngsborough answers as above.
- 51. No answer required.

- 52. No answer required.
- 53. Neither admitted nor denied.
- 54. Denied.
- 55. Denied.

COUNT TWO

- 56. Tyngsborough answers as above.
- 57. No answer required.
- 58. No answer required.
- 59. Denied.
- 60. Denied.

COUNT THREE

- 61. Tyngsborough answers as above.
- 62. Neither admitted nor denied.
- 63. Denied.

WHEREFORE, Tyngsborough requests that the Complaint be dismissed, or, in the alternative, requests that an order be issued that the eight members of the committee be appointed as provided by M.G.L. c. 71, § 14E.

TOWN OF TYNGSBOROUGH
By its attorney,

Dated: July 22, 2014

/s/ Charles J. Zaroulis
Charles J. Zaroulis, Esq. (BBO #539240)
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CERTIFICATE OF SERVICE

I, Charles J. Zaroulis, Tyngsborough Town Counsel and attorney for the Defendant Town of Tyngsborough, certify that I have this day served the foregoing Answer of Defendant Town of Tyngsborough upon the attorney for the Plaintiff City of Lowell by electronically mailing and by mailing, postage prepaid, a copy directed to:

Christine P. O'Connor, City Solicitor
City of Lowell Law Department
375 Merrimack Street
Lowell, Massachusetts 01852-5909

Dated: July 22, 2014

/s/ Charles J. Zaroulis
Charles J. Zaroulis, Esq.